

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION**

IN RE Michael Lee Fortune
Beverly Wolcson Fortune
Debtors

Case Number: 12-33259-KLP
Chapter 13

**NOTICE OF MOTION TO REOPEN CASE; NOTICE OF APPLICATION
FOR RULE TO SHOW CAUSE.
AND NOTICE OF HEARING**

PLEASE TAKE NOTICE THAT Michael Fortune and Beverly Wolcson Fortune, the Debtor(s), by and through counsel, has (have) filed papers with the Court TO REOPEN CASE AND CONSIDER AN APPLICATION FOR RULE TO SHOW CAUSE.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

NOTICE

UNDER LOCAL BANKRUPTCY RULE 9013-1, UNLESS A WRITTEN RESPONSE IN OPPOSITION TO THIS MOTION AND SUPPORTING MEMORANDUM ARE FILED WITH THE CLERK OF COURT AND SERVED ON THE MOVING PARTY WITHIN 21 DAYS OF THE SERVICE OF THIS NOTICE, THE COURT MAY DEEM ANY OPPOSITION WAIVED AND TREAT THE MOTION AS CONCEDED.

A HEARING TO CONSIDER THE RELIEF REQUESTED IN THIS MOTION IS SCHEDULED FOR MARCH 12, 2025, AT 9:30AM IN ROOM 5100, 701 E. BROAD STREET, RICHMOND VIRGINIA.

If you do not want the Court to grant the relief sought in the motion, or if you want the Court to consider your views on the Motion, then **on or before twenty one days from the date of this Notice**, you or your attorney must:

File a response with the Court, pursuant to Local Bankruptcy Rule 9013-1(H)]. If you mail your request for hearing (or response) to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

**Clerk of Court, US Bankruptcy Court
701 E. Broad Street, 4th Floor
Richmond VA 23219**

You must also mail a copy to:

**Office of the U.S. Trustee
4th Floor
701 E. Broad St
Richmond VA 23219**

H. Darden Hutson Fresh Start Law Office PLLC 4907 Hermitage Road #205 Richmond VA 23227

Attend the hearing scheduled to be held on March 12, 2025 at 9:30AM in Courtroom 5100 701 E. Broad Street Richmond, VA 23219. If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.

If you or your attorney do not take these steps, the Court may decide that you don't oppose the relief sought in the Motion or Objection and may enter an Order Granting the relief.

Notice provided by:
/s/H. Darden Hutson
Bar No. 29069
Fresh Start Law Office PLLC
4807 Hermitage Road #205
Richmond VA 23227
P 804 266 4680
F 866 455 1349
e hdhlaw@fslo.com

Certificate of Service

I hereby certify that true and correct copies of the foregoing were mailed postage pre paid certified mail to Frontline Asset Resolution LLC, registered agent, Northwest Registered Agent Service, Inc., 8 The Green, Ste B, Dover DE 19901 or hand delivered or delivered via ECF to the US Trustee, the trustee in this cause and all parties in interest this February 12, 2025.

/s/H.Darden Hutson

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

In Re: Michael L. Fortune

Beverly W. Fortune

Debtor

Frontline Asset Resolution LLC

Respondent

Case No. 12-33259-KLP

Chapter 13

MOTION TO REOPEN CASE

COMES NOW the debtors, Michal L. Fortune and Beverly W. Fortune, by counsel, and moves for the entry of an Order reopening this case and in support thereof states as follows.

1. The debtors filed a petition under chapter 13 with this Court on May 25, 2012, and received a discharge under 11 U.S.C. 1328 on July 11, 2017. Thereafter the case was closed on August 24, 2017.
2. The joint debtor, Beverly W. Fortune, has filed an Application for a Show Cause order against a listed creditor and its successor in interest for its violation of the Discharge Order and the injunctive provisions of 11 U.S.C. 524.

WHEREFORE debtors pray that this case be reopened for the purpose of allowing the entry of a Rule to Show Cause, and for such further relief as may be required.

Michael L Fortune
Beverly W. Fortune
By Counsel

/s/H. Darden Hutson
Counsel for debtor
Fresh Start Law Office pllc
4807 Hermitage Rd #205
Richmond VA 23227
804 266 4680
dhutson@fslo.com
vsb 29069

CERTIFICATE OF SERVICE

I HEREBY certify that on February 12, 2025, a true copy of this Motion along with the Application for Rule to Show Cause, exhibits and the supporting affidavit, was mailed, (certified) to Frontline Asset Resolution LLC, Registered Agent- Northwest Registered Agent Service, Inc., 8 The Green, Ste B, Dover DE 19901.

/s/ H. Darden Hutson

IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

In re: Beverly W. Fortune

Debtor/Applicant

Case No. 12-33259 KLP

Frontline Asset Resolution LLC

Chapter 13

Serve Registered Agent

Northwest Registered Agent Service, Inc.
8 The Green, Ste B,
Dover DE 19901.

Respondent

APPLICATION FOR RULE TO SHOW CAUSE

COMES NOW the debtor, Beverly W. Fortune, by counsel, and applies to this court for the entry of a Rule to Show Cause against Frontline Asset Resolution LLC (hereinafter "Frontline") and in support thereof states as follows:

1. The debtor filed a petition under chapter 13 with this Court on May 25, 2012 and received a Discharge under 11 U.S.C. 1328 on July 11, 2017. A copy of the debtor's discharge is attached as **Exhibit A**.
2. Frontline is upon information and belief the successor in interest to Jefferson Capital Systems, LLC which filed claim #6 in the referenced chapter 13 bankruptcy proceeding Jefferson Capital Systems LLC upon information purchased the claim from National Credit Adjusters LLC which upon information purchased the claim from Best Buy Inc., the original creditor. A copy of claim #6 is attached as **Exhibit B**.
3. On or about May 27, 2012, the Clerk of the Court gave notice of the commencement of the case, the date and times of the section 341 hearing the confirmation hearing and the deadline to file claims. (October 15, 2012). On July 19, 2012 the predecessor in interest to Frontline, i.e. Jefferson Capital Systems LLC filed a claim in the case attaching documents thereto indicating its purchase

from National Credit Adjusters and identifying the original creditor as Best Buy Inc. Best Buy Inc. Best Buy Inc. was listed in the debtor's schedule F.

4. Through the course of the chapter 13 plan, claim #6 was paid pursuant to such plan. No objection to the treatment or payment in the plan was filed. The plan was completed on or about June 9, 2017, Discharge was entered by the Court on or about July 11, 2017 and notice thereof was mailed to all parties including claimant #6 on or about July 13, 2017.
5. Since on or about June 1, 2024, Frontline has attempted to collect the debt evidenced by claim #6 using telephonic contact to the debtor, the debtor's spouse, the debtor's family and emails. A sample log of the hundreds of telephonic contacts made by Frontline in attempts to collect the discharged debt are attached as **Exhibit C**. Debtor has consistently advised Frontline the debt was included in the 2012 bankruptcy case and is subject to the discharge entered in that case.
6. Frontline has continued to demand payment on the discharged account and has acknowledged that the debt is the Best Buy debt listed in the debtors' schedules on which claim #6 was filed and paid by the trustee and subject to the Discharge entered in this case. The correspondence acknowledging the origin or the debt and demanding payment is attached as **Exhibit D**.
7. Bankruptcy counsel for the debtor has additionally notified Frontline that the debt was included in the bankruptcy case and discharge. Such notice was ignored and the calls and emails demanding payment on the discharged debt have continued without abatement. A copy of the notice provided by prior counsel is attached as **Exhibit E**.
8. The acts aforementioned constitute a willful violation of the court's discharge injunction under 11 U.S.C. 524, including the right of the debtor to a fresh start, and by their acts they have further caused the debtor and her spouse to suffer inconvenience, embarrassment, annoyance, anguish, emotional distress and forced the debtor to incur lost time and effort and additional attorney's fees and costs.

WHEREFORE the debtor prays that this Court issue a rule to Show Cause against Frontline, requiring that they appear before this Court and show cause why they should not be held in contempt for the willful violation of this Court's Discharge Order and the injunctive provisions of 11 u.S.C. 524 and why sanctions, including an award of damages, both actual and punitive, and an award of attorney's fees should not be imposed upon them.

Beverly W. Fortune
By counsel

By: H. Darden Hutson
H. Darden Hutson, Esquire vsb 29069
Counsel for BW Fortune
Fresh Start Law Office, pllc
4807 Hermitage Rd #205
Richmond Virginia 23227
804 266 4680

Certificate of Service

I hereby certify that on February 12, 2025, a true copy of this Application, along with the exhibits and supporting affidavit, was mailed (certified) to Frontline Asset Resolution LLC, Northwest Registered Agent Service, Inc., 8 The Green, Ste B, Dover DE 19901.

/s/ H. Darden Hutson

IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

In re: Beverly W. Fortune
Debtor/Applicant

Case No. 12-33259 KLP

Frontline Asset Resolution LLC
Respondent

Chapter 13

**AFFIDAVIT IN SUPPORT OF
APPLICATION FOR RULE TO SHOW CAUSE**

COMES NOW Beverly W. Fortune, and after having been sworn to oath in a manner prescribed by law, states as follows:

I have read the Application for the Rule to Show Cause against Frontline Asset Resolution LLC to which this Affidavit is attached, and the facts related therein are true and accurate to the best of my knowledge and belief.

Beverly W. Fortune

Beverly W. Fortune

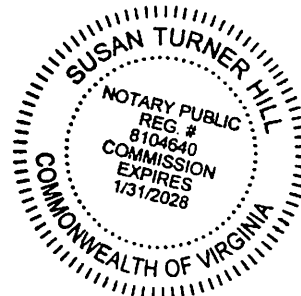
Notary Public
For the Commonwealth of Virginia

There appeared before me Beverly W. Fortune who, after being sworn to oath in a manner prescribed by law, affirmed that their statement as recorded above is true and accurate to the best of her knowledge and belief this 5 day of February 2025.

Susan Turner Hill

Notary Public

Registration # 8104640



Information to identify the case:

Debtor 1	Michael Lee Fortune	Social Security number or ITIN	xxx-xx-0865
	First Name Middle Name Last Name	EIN	__-_____-
Debtor 2	Beverly Wolcson Fortune	Social Security number or ITIN	xxx-xx-4767
(Spouse, if filing)	First Name Middle Name Last Name	EIN	__-_____-
United States Bankruptcy Court Eastern District of Virginia			
Case number: 12-33259-KLP			

Discharge of Joint Debtors

12/15

IT IS ORDERED: A discharge under 11 U.S.C. § 1328(a) is granted to:

Michael Lee Fortune

Beverly Wolcson Fortune
aka Beverly J. Wolcson

July 11, 2017

For the court: William C. Redden
Clerk

Explanation of Bankruptcy Discharge in a Chapter 13 Case

This order does not close or dismiss the case.

Creditors cannot collect discharged debts

This order means that no one may make any attempt to collect a discharged debt from the debtors personally. For example, creditors cannot sue, garnish wages, assert a deficiency, or otherwise try to collect from the debtors personally on discharged debts. Creditors cannot contact the debtors by mail, phone, or otherwise in any attempt to collect the debt personally. Creditors who violate this order can be required to pay debtors damages and attorney's fees.

However, a creditor with a lien may enforce a claim against the debtors' property subject to that lien unless the lien was avoided or eliminated. For example, a creditor may have the right to foreclose a home mortgage or repossess an automobile.

This order does not prevent debtors from paying any debt voluntarily. 11 U.S.C. § 524(f).

Most debts are discharged

Most debts are covered by the discharge, but not all. Generally, a discharge removes the debtors' personal liability for debts provided for by the chapter 13 plan.

In a case involving community property: Special rules protect certain community property owned by the debtor's spouse, even if that spouse did not file a bankruptcy case.

Some debts are not discharged

Examples of debts that are not discharged are:

- ◆ debts that are domestic support obligations;
- ◆ debts for most student loans;
- ◆ debts for certain types of taxes specified in 11 U.S.C. §§ 507(a)(8)(C), 523(a)(1)(B), or 523(a)(1)(C) to the extent not paid in full under the plan;

For more information, see page 2>

- ◆ debts that the bankruptcy court has decided or will decide are not discharged in this bankruptcy case;
- ◆ debts for most fines, penalties, forfeitures, or criminal restitution obligations;
- ◆ some debts which the debtors did not properly list;
- ◆ debts provided for under 11 U.S.C. § 1322(b)(5) and on which the last payment or other transfer is due after the date on which the final payment under the plan was due;
- ◆ debts for certain consumer purchases made after the bankruptcy case was filed if obtaining the trustee's prior approval of incurring the debt was practicable but was not obtained;

- ◆ debts for restitution, or damages, awarded in a civil action against the debtor as a result of malicious or willful injury by the debtor that caused personal injury to an individual or the death of an individual; and
- ◆ debts for death or personal injury caused by operating a vehicle while intoxicated.

In addition, this discharge does not stop creditors from collecting from anyone else who is also liable on the debt, such as an insurance company or a person who cosigned or guaranteed a loan.

This information is only a general summary of a chapter 13 discharge; some exceptions exist. Because the law is complicated, you should consult an attorney to determine the exact effect of the discharge in this case.

In re:
Michael Lee Fortune
Beverly Wolcson Fortune
Debtors

Case No. 12-33259-KLP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0422-7

User: baumgartn
Form ID: 3180W

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Total Noticed: 23

Date Rcvd: Jul 11, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 13, 2017.

db/jdb +Michael Lee Fortune, Beverly Wolcson Fortune, 14106 Whirlaway Way,
Midlothian, VA 23112-1518
aty +Julia B Adair, Hathaway Adair, 3412 Cutshaw Avenue, Richmond, VA 23230-5014
11322141 Boleman Law Firm, P.C., P.O. Box 11588, Richmond, VA 23230-1588
11181983 +National Credit Adj, 327 W. 4th Street, Hutchinson, KS 67501-4842

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
cr E-mail/Text: bankruptcy@bbandt.com Jul 12 2017 02:04:13 BB&T, Bankruptcy, PO Box 1847,
Wilson, NC 27894

cr +EDI: PRA.COM Jul 12 2017 01:58:00 PRA Receivables Management LLC, POB 41067,
Norfolk, VA 23541-1067
11468322 E-mail/Text: bankruptcy@bbandt.com Jul 12 2017 02:04:13 Branch Banking and Trust,
PO Box 1847, Wilson, NC 27894
11226235 E-mail/Text: bankruptcy@bbandt.com Jul 12 2017 02:04:13 BB&T, Attn: Bankruptcy Dept,
P.O. Box 1847, Wilson, NC 27894-0000
11181973 E-mail/Text: bankruptcy@bbandt.com Jul 12 2017 02:04:14 Branch Banking & Trust Company,
Bankruptcy Section/100-50-01-51, P.O. Box 1847, Wilson, NC 27894
11181974 E-mail/Text: bankruptcy@bbandt.com Jul 12 2017 02:04:14 BB&T Mortgage, Re: Bankruptcy,
P.O. Box 2027, Greenville, SC 29602-2027
11384693 EDI: BL-BECKET.COM Jul 12 2017 01:58:00 Capital One NA, c/o Becket and Lee LLP,
POB 3001, Malvern PA 19355-0701
11181976 +EDI: RMSC.COM Jul 12 2017 01:58:00 GECRB/CCA, Re: Bankruptcy, PO Box 965036,
Orlando, FL 32896-5036
11181977 +EDI: RMSC.COM Jul 12 2017 01:58:00 GECRB/JCP, Re: Bankruptcy, PO Box 103104,
Roswell, GA 30076-9104
11181978 +EDI: HFC.COM Jul 12 2017 01:58:00 HSBC/Best Buy, P.O. Box 5253, Att'n: Bankruptcy,
Carol Stream, IL 60197-5253
11872047 EDI: IRS.COM Jul 12 2017 01:58:00 IRS, P.O. Box 21126, Philadelphia, PA 19114
11262369 EDI: JEFFERSONCAP.COM Jul 12 2017 01:58:00 Jefferson Capital Systems LLC, PO BOX 7999,
SAINT CLOUD MN 56302-9617
11181982 +EDI: CBSKOHL.COM Jul 12 2017 01:58:00 Kohl's/Capital One, P.O. Box 3115,
Milwaukee, WI 53201-3115
11181972 +E-mail/Text: ustpregion04.rh.ecf@usdoj.gov Jul 12 2017 02:04:26 Office of the US Trustee,
701 E. Broad Street, Room 4304, Richmond, VA 23219-1885
11311187 EDI: PRA.COM Jul 12 2017 01:58:00 Portfolio Recovery Associates, LLC, PO Box 41067,
Norfolk VA 23541
11196836 +EDI: STF1.COM Jul 12 2017 01:58:00 SunTrust Bank, Attn: Support Services,
P.O. Box 85092, Richmond, VA 23286-0001
11181984 EDI: STF1.COM Jul 12 2017 01:58:00 Suntrust Bank, RE: Bankruptcy, P.O. Box 791144,
Baltimore, MD 21279-1144
11213005 EDI: USBANKARS.COM Jul 12 2017 01:58:00 ELAN FINANCIAL SERVICES, BANKRUPTCY DEPARTMENT,
P.O. BOX 5229, CINCINNATI, OH 45201-5229
11181975 EDI: USBANKARS.COM Jul 12 2017 01:58:00 Elan Financial Services, Re: Bankruptcy,
P.O. Box 6352, Fargo, ND 58125-6352

TOTAL: 19

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****
11181979* ++INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 7346,
PHILADELPHIA PA 19101-7346
(address filed with court: Internal Revenue Service, 400 N. 8th St., Box 76, Stop Room 898,
Richmond, VA 23219-0000)
11181981* ++INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 7346,
PHILADELPHIA PA 19101-7346
(address filed with court: Internal Revenue Service, Proceedings & Insolvencies,
P.O. Box 21126, Philadelphia, PA 19114-0326)
11183685* +IRS, P.O. Box 7346, Philadelphia, PA 19101-7346
11181980* Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346
11276258* ++JEFFERSON CAPITAL SYSTEMS LLC, PO BOX 7999, SAINT CLOUD MN 56302-7999
(address filed with court: Jefferson Capital Systems LLC, PO BOX 7999,
SAINT CLOUD MN 56302-9617)
12497733 ##Hathaway Adair, P.C., 3412 Cutshaw Avenue, Richmond VA 23230-5014

TOTALS: 0, * 5, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

District/off: 0422-7

User: baumgartn
Form ID: 3180W

Page 2 of 2
Total Noticed: 23

Date Rcvd: Jul 11, 2017

***** BYPASSED RECIPIENTS (continued) *****

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 13, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 11, 2017 at the address(es) listed below:

Carl M. Bates station01@richchap13.com,
station10@richchap13.com;station03@richchap13.com;station07@richchap13.com;station06@richchap13.com
Julia Bonham Adair on behalf of Joint Debtor Beverly Wolcson Fortune hathawayadair@gmail.com,
ecf@hathawayadair.com
Julia Bonham Adair on behalf of Debtor Michael Lee Fortune hathawayadair@gmail.com,
ecf@hathawayadair.com
Mark C. Leffler on behalf of Attorney Julia B Adair ecf@bolemanlaw.com,
ecfbackup@bolemanlaw.com
Mark C. Leffler on behalf of Debtor Michael Lee Fortune ecf@bolemanlaw.com,
ecfbackup@bolemanlaw.com
Mark C. Leffler on behalf of Joint Debtor Beverly Wolcson Fortune ecf@bolemanlaw.com,
ecfbackup@bolemanlaw.com

TOTAL: 6

B 10 (Official Form 10) (12/11)

UNITED STATES BANKRUPTCY COURT EASTERN District Of VIRGINIA		PROOF OF CLAIM
Name of Debtor: BEVERLY W FORTUNE	Case Number: 12-33259	
NOTE: Do not use this form to make a claim for an administrative expense that arises after the bankruptcy filing. You may file a request for payment of an administrative expense according to 11 U.S.C. § 503.		
Name of Creditor (the person or other entity to whom the debtor owes money or property): Jefferson Capital Systems, LLC; Purchased From NATIONAL CREDIT ADJUSTERS LLC		
Name and address where notices should be sent: Jefferson Capital Systems, LLC PO BOX 7999 SAINT CLOUD, MN 56302-9617		COURT USE ONLY
Telephone number: 800-928-7314 email: Bankruptcy@JeffersonCapitalInternational.com		<input type="checkbox"/> Check this box if this claim amends a previously filed claim. Court Claim Number: _____ (If known) Filed on: _____
Name and address where payment should be sent (if different from above): Jefferson Capital Systems, LLC PO BOX 953185 ST LOUIS, MO 63195-3185		<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to this claim. Attach copy of statement giving particulars.
Telephone number: 800-928-7314 email: Bankruptcy@JeffersonCapitalInternational.com		
1. Amount of Claim as of Date Case Filed: \$ <u>\$3138.65</u> If all or part of the claim is secured, complete item 4. If all or part of the claim is entitled to priority, complete item 5. <input type="checkbox"/> Check this box if the claim includes interest or other charges in addition to the principal amount of the claim. Attach a statement that itemizes interest or charges.		
2. Basis for Claim: <u>Credit Card</u> (See instruction #2)		
3. Last four digits of any number by which creditor identifies debtor: <u>6575</u>	3a. Debtor may have scheduled account as: <u>BEST BUY CO INC</u> (See instruction #3a)	3b. Uniform Claim Identifier (optional): <u>JCPBKR1233259VAE47676575</u> (See instruction #3b)
4. Secured Claim (See instruction #4) Check the appropriate box if the claim is secured by a lien on property or a right of setoff, attach required redacted documents, and provide the requested information.		Amount of arrearage and other charges, as of the time case was filed, included in secured claim, if any: \$ _____
Nature of property or right of setoff: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe: _____		Basis for perfection: _____
Value of Property: \$ _____		Amount of Secured Claim: \$ _____
Annual Interest Rate _____ % <input type="checkbox"/> Fixed or <input type="checkbox"/> Variable (when case was filed)		Amount Unsecured: \$ _____
5. Amount of Claim Entitled to Priority under 11 U.S.C. § 507 (a). If any part of the claim falls into one of the following categories, check the box specifying the priority and state the amount.		
<input type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507 (a)(1)(A) or (a)(1)(B).	<input type="checkbox"/> Wages, salaries, or commissions (up to \$11,725*) earned within 180 days before the case was filed or the debtor's business ceased, whichever is earlier – 11 U.S.C. § 507 (a)(4).	<input type="checkbox"/> Contributions to an employee benefit plan – 11 U.S.C. § 507 (a)(5).
		Amount entitled to priority:
<input type="checkbox"/> Up to \$2,600* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use – 11 U.S.C. § 507 (a)(7).	<input type="checkbox"/> Taxes or penalties owed to governmental units – 11 U.S.C. § 507 (a)(8).	<input type="checkbox"/> Other – Specify applicable paragraph of 11 U.S.C. § 507 (a)(____).
*Amounts are subject to adjustment on 4/1/13 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.		
6. Credits. The amount of all payments on this claim has been credited for the purpose of making this proof of claim. (See instruction #6)		

7. Documents: Attached are **redacted** copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. If the claim is secured, box 4 has been completed, and **redacted** copies of documents providing evidence of perfection of a security interest are attached. (See instruction #7, and the definition of “**redacted**”).

DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.

If the documents are not available, please explain:

8. Signature: (See instruction #8)

Check the appropriate box.

- ☒ I am the creditor. ☐ I am the creditor’s authorized agent. ☐ I am the trustee, or the debtor, or their authorized agent. ☐ I am a guarantor, surety, indorser, or other codebtor.
- (Attach copy of power of attorney, if any.) (See Bankruptcy Rule 3004.) (See Bankruptcy Rule 3005.)

I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.

Print Name: Amy Payment

Title: Manager

Company: Jefferson Capital Systems, LLC

Address and telephone number (if different from notice address above):

/s/ Amy Payment

July 19, 2012

(Signature)

(Date)

Telephone number: _____ email: _____

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, exceptions to these general rules may apply.

Items to be completed in Proof of Claim form

Court, Name of Debtor, and Case Number:

Fill in the federal judicial district in which the bankruptcy case was filed (for example, Central District of California), the debtor’s full name, and the case number. If the creditor received a notice of the case from the bankruptcy court, all of this information is at the top of the notice.

Creditor’s Name and Address:

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

1. Amount of Claim as of Date Case Filed:

State the total amount owed to the creditor on the date of the bankruptcy filing. Follow the instructions concerning whether to complete items 4 and 5. Check the box if interest or other charges are included in the claim.

2. Basis for Claim:

State the type of debt or how it was incurred. Examples include goods sold, money loaned, services performed, personal injury/wrongful death, car loan, mortgage note, and credit card. If the claim is based on delivering health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information. You may be required to provide additional disclosure if an interested party objects to the claim.

3. Last Four Digits of Any Number by Which Creditor Identifies Debtor:

State only the last four digits of the debtor’s account or other number used by the creditor to identify the debtor.

3a. Debtor May Have Scheduled Account As:

Report a change in the creditor’s name, a transferred claim, or any other information that clarifies a difference between this proof of claim and the claim as scheduled by the debtor.

3b. Uniform Claim Identifier:

If you use a uniform claim identifier, you may report it here. A uniform claim identifier is an optional 24-character identifier that certain large creditors use to facilitate electronic payment in chapter 13 cases.

4. Secured Claim:

Check whether the claim is fully or partially secured. Skip this section if the claim is entirely unsecured. (See Definitions.) If the claim is secured, check the box for the nature and value of property that secures the claim, attach copies of lien documentation, and state, as of the date of the bankruptcy filing, the annual interest rate (and whether it is fixed or variable), and the amount past due on the claim.

5. Amount of Claim Entitled to Priority Under 11 U.S.C. § 507 (a).

If any portion of the claim falls into any category shown, check the appropriate box(es) and state the amount entitled to priority. (See Definitions.) A claim may be partly priority and partly non-priority. For example, in some of the categories, the law limits the amount entitled to priority.

6. Credits:

An authorized signature on this proof of claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

7. Documents:

Attach redacted copies of any documents that show the debt exists and a lien secures the debt. You must also attach copies of documents that evidence perfection of any security interest. You may also attach a summary in addition to the documents themselves. FRBP 3001(c) and (d). If the claim is based on delivering health care goods or services, limit disclosing confidential health care information. Do not send original documents, as attachments may be destroyed after scanning.

8. Date and Signature:

The individual completing this proof of claim must sign and date it. FRBP 9011. If the claim is filed electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what constitutes a signature. If you sign this form, you declare under penalty of perjury that the information provided is true and correct to the best of your knowledge, information, and reasonable belief. Your signature is also a certification that the claim meets the requirements of FRBP 9011(b). Whether the claim is filed electronically or in person, if your name is on the signature line, you are responsible for the declaration. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer’s address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. If the claim is filed by an authorized agent, attach a complete copy of any power of attorney, and provide both the name of the individual filing the claim and the name of the agent. If the authorized agent is a servicer, identify the corporate servicer as the company. Criminal penalties apply for making a false statement on a proof of claim.



Account Statement Summary

Account Number: XXXX-XXXX-XXXX-6575

Account Statement Summary Created: 7/19/2012

BFRAME B2 System
BKRPOD Page

Account Inactive
ADDRESS OK

Bankruptcy Proof Of Debt
Tracking# JCAP2996542525
CInt# XXXXXXXXXXXX6575
Client XNCA1 NCA1
Status BANKRUPTCY 07/02/2012
Name FORTUNE, BEVERLY W
AD1 14106 WHIRLAWAY WAY
AD2
City MIDLOTHIAN
State VA 23112
Language

Home XXXXXX0000
Work XXXXXX7712
Alt XXXXXX0000
SSN XXX/XX/4767
DOB XX/1962

BALANCE
Placed 3138.65
Paid 0.00
Last Paid 09/20/2011
Balance 3138.65
DATES
Placed Date 07/02/2012
Last Worked 00/00/0000

Bankruptcy Info

Case Number 12-33259 Source GUI
Date Filed 05/25/2012 Court 178
Chapter 13 Single Debtor Dispo Code

MISC
Desc2 31306122
Desc3 7580491
Desc4

Note Info

Note Date 09/12/2009 Amount 3138.65
WriteOff Date 01/31/2012 Amount 0.00
Orig Date 09/12/2009 Amount 3138.65

HISTORY AT CONVERSION
Last Paid 09/20/2011
Tot Interest 0.00
Prior Paid 0.00

Account Information

Purchased From: NATIONAL CREDIT ADJUSTERS LLC
Debt Originated From: BEST BUY CO INC
Last Transaction Date: 01/31/2012
Charge-off Date: 01/31/2012
Last Payment Date: 9/20/2011

Other Information

Reference Number for Payment Processing: 2996542525

Debtor Name: BEVERLY W FORTUNE

Case Number: 12-33259

Date Debt Incurred: 09/12/2009

Open Date: 09/12/2009

BALANCE at TIME OF FILING: \$3138.65

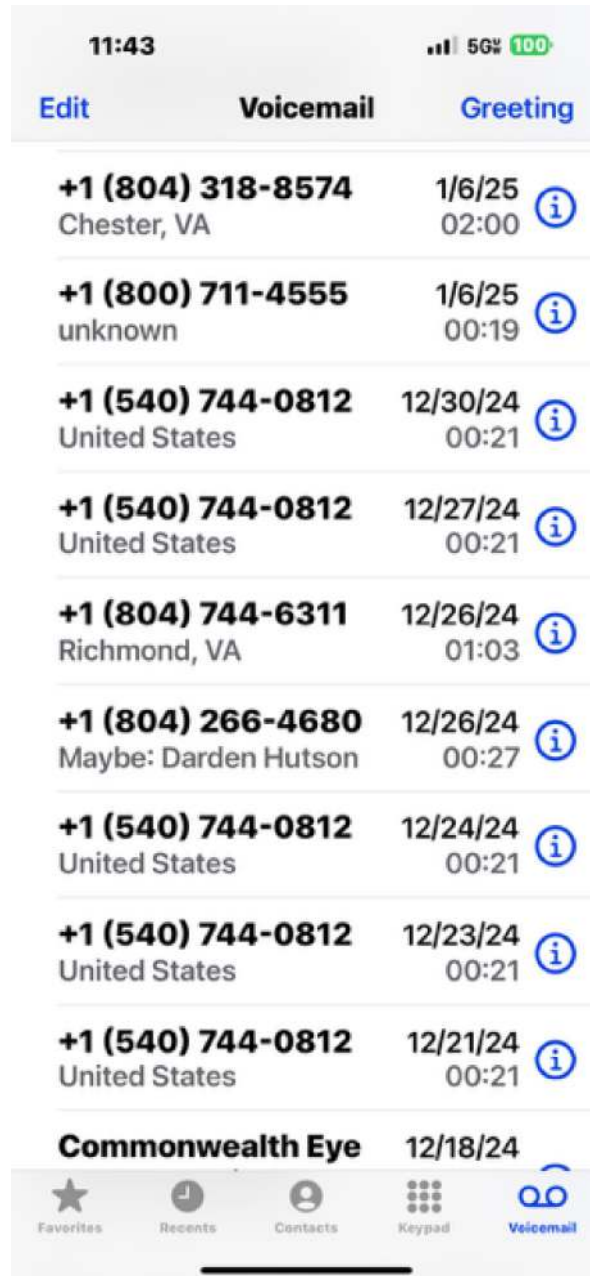
Claim Amount: \$3138.65











No post charge-off interest, fees, or other charges included in the claim


PAYMENT ADDRESS


Jefferson Capital Systems, LLC
PO BOX 953185
ST LOUIS, MO 63195-3185


Exhibit C





11:26		5G 100	
Edit	Voicemail	Greeting	
United States		00:21	
mobile		9/11/24 00:23	
+1 (804) 327-8150 Richmond, VA		9/10/24 00:51	
+1 (540) 744-0812 United States		9/10/24 00:21	
+1 (540) 744-0812 United States		9/9/24 00:21	
+1 (540) 744-0812 United States		9/6/24 00:21	
+1 (540) 744-0812 United States		8/30/24 00:21	
work		8/21/24 00:13	
phone		7/18/24 00:28	
phone		6/5/24 00:25	

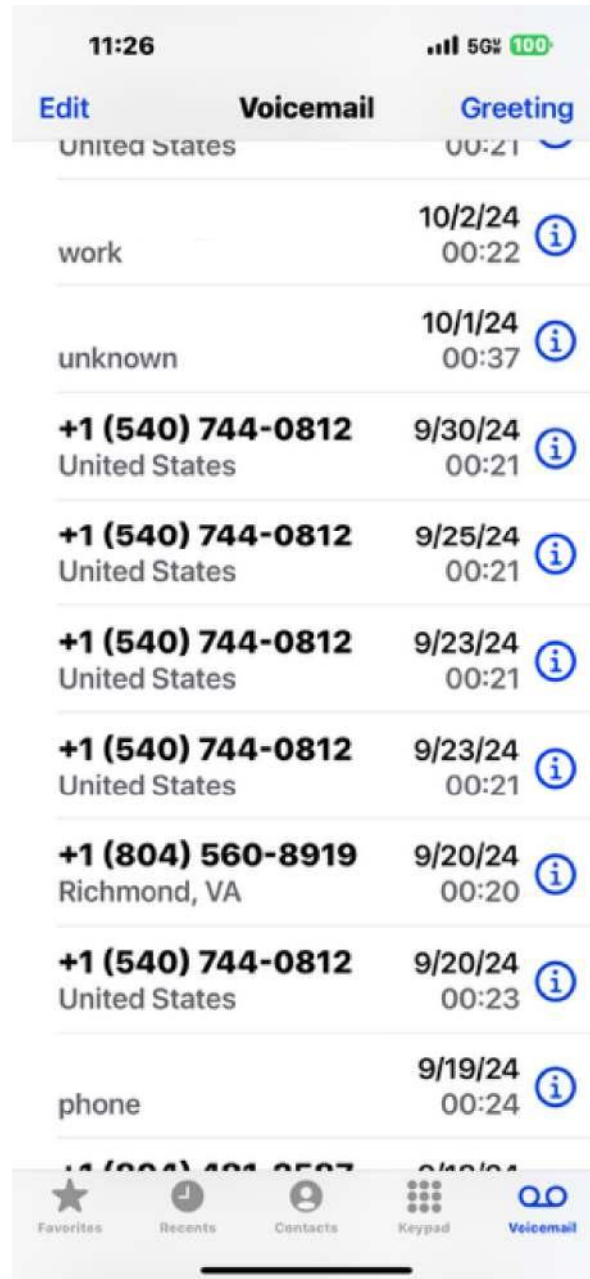

Favorites

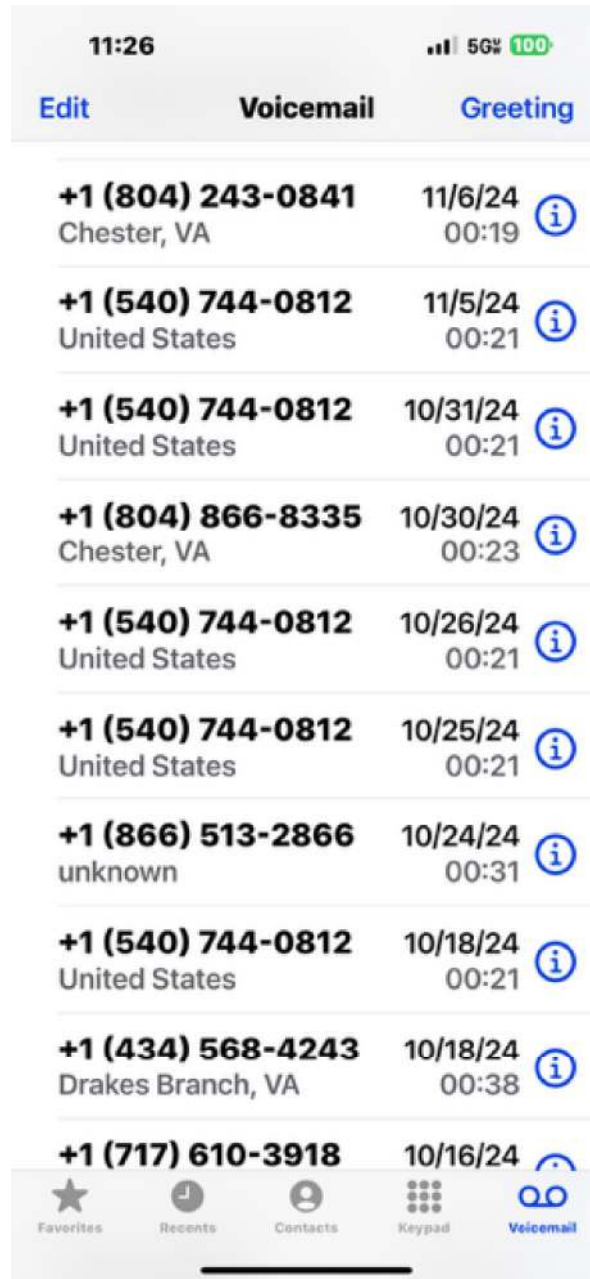

Recents


Contacts


Keypad


Voicemail





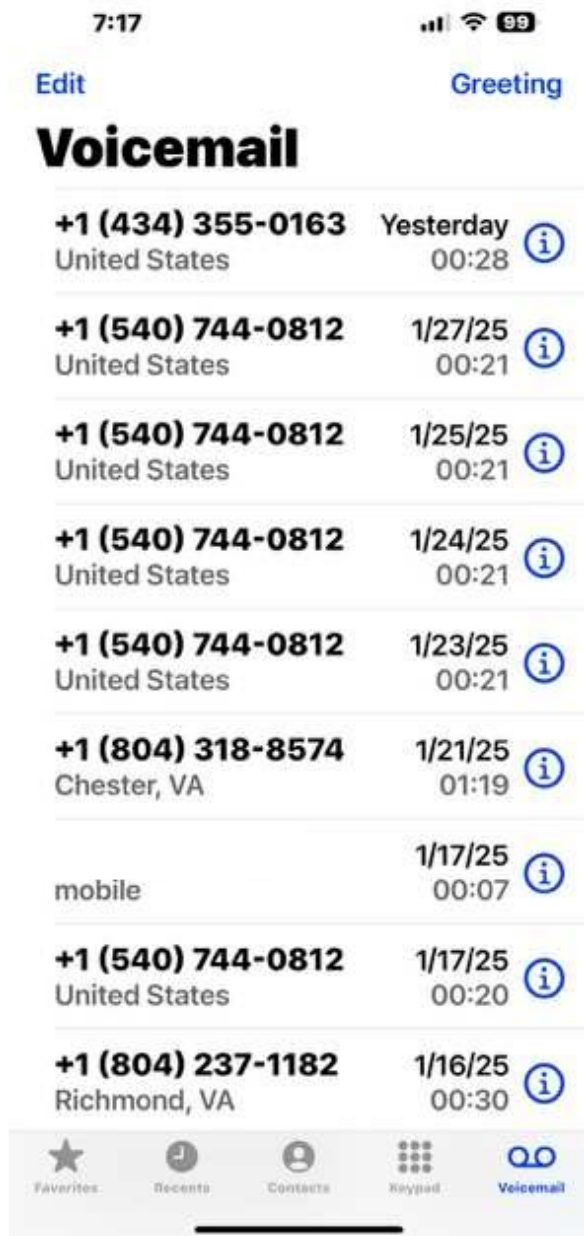


Exhibit D

Frontline Asset Resolution, LLC.
8 The Green, Suite B
Dover, DE 19901
www.frontlineassetresolutionllc.com
admin@frontlineassetresolutionllc.com
(844) 479-8521

SETTLEMENT OFFER LETTER

File Number: 2024-145865
Original Lender: Best Buy CO, Inc.
Original Account Number: 7001062217886570
Balance Due: \$ 3, 609.45
Settlement Amount: \$ 3, 609.45

Beverly Fortune
19810 River Rd
Chesterfield, VA 23838
4tunefam2@gmail.com

**RE: Collections letter received
2024**

September 5,

This letter does not grant my acceptance of money owed, although, it provides an offer at which **Frontline Asset Resolution, LLC** be willing to accept a settlement in order to remove this claim. Upon successful completeness of your payment arrangement to the satisfaction of the account indicated above, barring any returns or charge backs, your account is considered satisfied and **PAID IN FULL** and any further attempts to collect or recover debt owed to the original creditor will be discontinued. This office will submit a closing report to our client for credit reporting purposes if applicable. This payment arrangement is **NULL** and **VOID** if not paid accordingly.

If you should accept our settlement offer, payment would be made immediately. Feel free to contact our office via the above provided contact details and speak with your assigned case manager to complete this process.

Sincerely,
James Myers
Frontline Asset Resolution, LLC.

*** This is an attempt to collect a debt and any information obtained will be used for that purpose. ***



Darden Hutson <dhutson@fslo.com>

FW: FW: James Myers has sent you the document 'Beverly Fortune Settlement Offer Frontline' to sign

1 message

Julia Adair <J.Adair@ch13ricva.com>
To: Darden Hutson <hdhlaw@fslo.com>

Tue, Dec 24, 2024 at 12:58 PM

Ms. Fortune would love a call on Thursday. She is nervous about the legal fees for the service.

On September 12, I sent an email to the collection person who had emailed her.

Relevant info is attached and copied below.

Julia B. Adair

Office of Suzanne E Wade, Chapter 13 Trustee

[7202 Glen Forest Dr., Suite 202](#)

[Richmond, VA 23226](#)

Direct Dial: 804-775-0979 x313

Fax: 804-775-0986

From: Beverly Fortune <4tunefam2@gmail.com>
Sent: Monday, December 23, 2024 12:25 PM
To: Julia Adair <J.Adair@ch13ricva.com>
Subject: Re: FW: James Myers has sent you the document 'Beverly Fortune Settlement Offer Frontline' to sign

Julia

The gentleman that you told me to contact has never called me back.

The company Frontline is now calling our house, my husband cell phone number, and my phone. Several times a day on all of our numbers.

The number they call from is 1(540)744-0812.

I was hoping I would not have to contact you again but the calls are getting out of hand.

Do you have any other suggestions for me.

I know it's the holidays and this is not urgent.

Beverly

1(804)370-7712 is my cell number.

Julia,

It was someone from Frontline Asset Resolution telling me it was on behalf of Best Buy. I did not get a chance to look this weekend for my papers like I thought I would.

I think they buy old debts from companies and try to get the money back for them. I honestly do not remember having an account with them and he kept mentioning 2009. He had all my information which he provided to me but had the wrong address on it.

Dear Mr. Myers,

I was bankruptcy counsel for Beverly Fortune in her discharged chapter 13, case number 12-33259. My understanding is that you are attempting to collect a balance originally owed to Best Buy in 2009. Please be aware that attempting to collect a discharged debt is a violation of federal law and may subject you to sanctions by the Bankruptcy Court.

Please confirm that you have updated your records and will ensure that all collection activities cease immediately.

I have attached the proof of claim and discharge order for your file.

Thank you for your attention in this matter.

Very truly yours,

Julia B. Adair, Esq.

Case 12-33259-KLP Doc 46 Filed 02/12/25 Entered 02/12/25 10:43:08 Desc Main Document Page 24 of 26

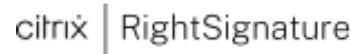
----- Forwarded message -----

From: **RightSignature.com** <documents@rightsignature.com>

Date: Thu, Sep 5, 2024 at 9:43 AM

Subject: James Myers has sent you the document 'Beverly Fortune Settlement Offer Frontline' to sign

To: <4tunefam2@gmail.com>



Hello Beverly,

Please review your pending settlement offer letter today. To complete the process, please contact your case manager accordingly. Thank you for attempting to resolve these matters.



Beverly Fortune Settlement Offer Frontline

(Beverly_Fortune_Settlement_Offer_Frontline.rtf)

Reference #: ad4980ae-2697-4452-8499-e7a21146a4d4

Status: Pending

Expires: 10/05/2024 09:43

Sender: James Myers

To review the document and sign with an electronic signature, follow this link:

REVIEW & SIGN DOCUMENT

If clicking the button doesn't work, copy and paste this link into your browser's URL bar:

https://secure.rightsignature.com/signers/896e5933-7c75-4d69-a1c5-4af8827bd3ba/sign?identity_token=_JeXB8UBisAtp2Tv8-Ym

James Myers

info@elitecreditsrvs.com

To stop receiving notifications for this document, [click here](#)

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<https://rightsignature.com>

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2 attachments



Fortune Best Buy claim.pdf

487K



Fortune discharge.pdf

10K